

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CSC TKR, INC., : : CIVIL ACTION NO. 05-2794 (MLC)
Plaintiff, : : **MEMORANDUM OPINION**
v. : :
MARK NEWMAN, : :
Defendant. : :
_____ :

The Court having issued an order to show cause why the complaint should not be dismissed for lack of prosecution under Local Civil Rule 41.1(a) and Federal Rule of Civil Procedure 41(b) (dkt. entry no. 4); and the plaintiff stating – in response thereto – that “the parties have already reached a settlement in this matter . . . and it is anticipated that the parties will be able to file the stipulation of dismissal within 30 days” (10-21-05 Cassell Letter); and the Court thus intending to (1) vacate the order to show cause, and (2) dismiss the complaint without prejudice to reopen if the settlement is not consummated; and the parties being advised that – to protect their interests – they may still submit a stipulation of dismissal in this action, even though the action will be marked as terminated by the Clerk of the Court; and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge